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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1612
Examiner : Patricia Morris
Applicant(s) : Arthur G. Romero
Serial Number : 09/313,534
Filed : 99-5-13
For : HETEROCYCLIC AMINES HAVING CENTRAL
NERVOUS SYSTEM ACTIVITY

Assistant Commissioner of Patents
Washington, DC 20231

REPLY UNDER 37 C.F.R. §1.113

Sir:

This REPLY is in response to the Office Action of 00-7-11 (Paper No. 7).

REMARKS

Claims 1-12 are in the present patent application.

Claims 1-8 are allowed.

Claims 9-12 are rejected under 35 U.S.C. §251 a being based upon a defective Reissue Declaration.

I. Claims 9-12 Were Rejected Under 35 U.S.C. § 251

The Rejection

Claims 9-12 were rejected under 35 U.S.C. §251 as being based upon a defective Reissue Declaration. The reason for the Examiner's rejection is that:

Reissue applicants' failure to timely file a divisional application is not considered to be error causing a patent granted on claims to be partially inoperative by reason of claiming less than they had a right to claim.